

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

B.E. TECHNOLOGY, L.L.C.,

)

Plaintiff,

)

v.

)

**AMAZON DIGITAL
SERVICES, INC.,**

)

Civil Action No. _____

Defendant.

)

)

)

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff B.E. Technology, L.L.C. (“B.E.”) hereby brings this action against Amazon Digital Services, Inc. (“Amazon Digital”) for infringement of United States Patent No. 6,771,290 (“‘290 patent”), and alleges as follows:

NATURE OF THE ACTION AND PARTIES

1. This is an action for patent infringement arising under the patent laws of the United States.
2. B.E. is a limited liability company organized and existing under the laws of the State of Delaware with its principal place of business in Memphis, Tennessee.
3. Amazon Digital is a corporation organized and existing under the laws of the State of Washington with its principal place of business in Seattle, Washington.

JURISDICTION

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a), as this is an action arising under the Patent Act, 35 U.S.C. § 1 *et seq.*

VENUE

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), 1391(d), and 1400(b).

FACTUAL BACKGROUND

6. The '290 patent is entitled "Computer Interface Method And Apparatus With Portable Network Organization System And Targeted Advertising." A copy of the '290 patent is attached to this Complaint as Exhibit A and incorporated herein by this reference.

7. The invention of the '290 patent generally relates to user interfaces for accessing computer applications and information resources and, in particular, to user interfaces that provide advertising obtained over a global computer network such as the Internet. The invention of the '290 patent also relates to user interfaces for maintaining, organizing and communicating information accessible to a computer network such as the Internet and, in particular, to user interfaces that provide the user with availability to that information in a personalized manner.

8. The application that issued as the '290 patent was filed on July 16, 1999, and the United States Patent and Trademark Office duly and legally issued the '290 patent on August 3, 2004. The '290 patent claims priority to U.S. Patent Application No. 09/118,351, filed on July 17, 1998.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 6,771,290

9. B.E. realleges and incorporates by reference the allegations of paragraphs 1-8.

10. B.E. owns all right, title, and interest in the '290 patent, and has owned all right, title, and interest throughout the period of the infringement complained of herein.

11. Amazon Digital has infringed at least Claim 2 of the '290 patent by using, selling, and offering to sell in the United States tablet computer products that directly infringe at least Claim 2 of the '290 patent either literally or under the doctrine of equivalents. The accused products include the Kindle, Kindle Touch, Kindle Touch 3G, Kindle Keyboard 3G, Kindle DX, and Kindle Fire products.

JURY DEMAND

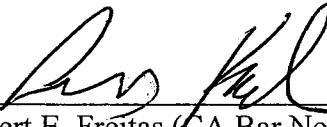
B.E. requests a trial by jury for all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, B.E. prays for relief as follows:

1. Judgment that Amazon Digital has infringed the '290 patent as alleged herein;
2. Compensatory damages in an amount according to proof, and in no event less than a reasonable royalty;
3. Prejudgment interest on the compensatory damages awarded to B.E.;
4. Post-judgment interest on all sums awarded to B.E. from the date of judgment;
5. A preliminary and permanent injunction forbidding Amazon Digital and its officers, agents, servants, employees, and attorneys, and all those in active concert or participation with them, from further infringing the '290 patent;
6. Costs of suit incurred herein; and
7. Any and all other relief that the Court deems just and equitable.

Dated: September 7, 2012

By: 

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